

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2000-585-S - ORDER NO. 2001-463

MAY 16, 2001

IN RE: Petition of Robert G. Gross for Approval to	)	ORDER ISSUING
Purchase the Stock of T. J. Barnwell Utility,	)	CERTIFICATE AND
Inc.	)	APPROVING STOCK
	)	SALE

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This matter comes before the Public Service Commission of South Carolina (the Commission) on the Application of Robert G. Gross (Gross) for approval to purchase the stock of the sewer system owned by T.J. Barnwell Utility, Inc. (Barnwell or the Company). The system services the Pleasant Point Subdivision in Beaufort, South Carolina.

The Commission's Executive Director instructed the Company to publish a Notice of Filing one time in newspapers of general circulation in the Company's service area, and to mail the Notice of Filing to all of the Company's customers. The Company provided affidavits showing that it had complied with the instructions of the Executive Director. No Protests were filed. A Petition to Intervene was filed by the Consumer Advocate for the State of South Carolina (the Consumer Advocate). Subsequent to his intervention, the Consumer Advocate filed a letter stating that he does not oppose the proposed purchase of stock after obtaining further information, and that he had no need to participate in any hearing on the matter. No other opposition to the transfer was received. Accordingly, Gross requests a waiver of the hearing requirement of Commission

Regulation 103-504, and Commission approval of the stock transfer. We grant waiver of the hearing, and will dispose of the question summarily.

Gross notes, in a letter to the Consumer Advocate, that his company, The Beaufort Group, LLC, has been operating and maintaining the T.J. Barnwell system since January 1, 2001, and that his company operates and maintains Harbor Island Utilities, Bray's Island Plantation and other facilities in Beaufort County. Gross has owned Harbor Island Utilities, Inc. since February 2000.

Commission Regulation 103-504 states that no individual undertaking the acquisition of a utility shall acquire it, by the sale of stock or otherwise, without first obtaining from the Commission a certificate that the acquisition is in the public interest.

We have examined the entire record of the case at bar, and have determined that the certificate in question should be issued, since we believe the acquisition is in the public interest in this case. Gross has demonstrated his ability to operate wastewater systems through his operation of other systems in Beaufort County. Accordingly, since there is no opposition to the transfer, the Certificate is granted and the stock sale is approved.

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This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:



Chairman

ATTEST:

  
Executive Director

(SEAL)